

**BEFORE THE GEORGIA DEPARTMENT OF BANKING AND FINANCE
STATE OF GEORGIA**

SUN WEST MORTGAGE COMPANY, INC.

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

HARI S. AGARWAL

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

PAVAN SHUNKER AGARWAL

Petitioner

vs.

GEORGIA DEPARTMENT OF
BANKING AND FINANCE

Respondent

FILED

SEP 18 2014

**GEORGIA DEPARTMENT OF
BANKING AND FINANCE**

DOCKET NO. DBF-MBL-14-003

CONSENT ORDER

On August 19, 2014, the Georgia Department of Banking and Finance ("Department") issued a Notice of Intent to Revoke Annual License to Sun West Mortgage Company, Inc., mortgage lender license number 22591 and Nationwide Mortgage Licensing System ("NMLS") number 3277. The Department's action was based on evidence that Sun West Mortgage Company, Inc. employed nine (9) convicted felons in violation of O.C.G.A. § 7-1-1004(h).

Additionally, on August 19, 2014, the Department issued proposed Orders to Cease and Desist to Hari S. Agarwal, Sun West Mortgage Company, Inc. Director and President (NMLS number 6188) and Pavan Shunker Agarwal, Sun West Mortgage Company, Inc. Chief Executive Officer and Director (NMLS number 6190) (collectively referred to herein as the "Officers") based on the above-referenced violations.

The parties have reached a settlement of the issues raised by the Notice of Intent to Revoke Annual License and the proposed Orders to Cease and Desist and agree to a resolution of those matters in their entirety.

Accordingly, it is hereby ORDERED as follows:

1. Upon entry of this Consent Order, the mortgage lender license for Sun West Mortgage Company, Inc. will be deemed surrendered. Sun West Mortgage Company, Inc. will never apply for a Georgia mortgage broker or Georgia mortgage lender license.

2. The Officers shall be prohibited from making an application for a Georgia mortgage loan originator's license, a Georgia mortgage broker's license, or a Georgia mortgage lender's license, either in their individual capacities or as the owners or officers of a corporation, partnership or limited liability company. The Officers shall be prohibited from directing the affairs of a Georgia mortgage broker or Georgia mortgage lender including, but not limited to, as a director, officer, partner, equitable owner, branch manager, employee, or any other equivalent role for a licensed Georgia mortgage broker or Georgia mortgage lender.

3. Sun West Mortgage Company, Inc. shall pay fines to the Department in the amount of \$45,500 in full and final satisfaction of any and all monetary claims that have or could have been brought by this agency in connection with the violations for which the proposed Notice of Intent to Revoke Annual License, dated August 19, 2014, was issued. Sun West Mortgage Company, Inc. has satisfactorily remitted payment to the Department related to the assessed fines.

4. Sun West Mortgage Company, Inc. shall contribute one thousand dollars (\$1,000.00) to the State Regulatory Registry, LLC, a wholly-owned subsidiary of the Conference of State Bank Supervisors ("CSBS") to support the Nationwide Mortgage Licensing System, jointly sponsored by CSBS and the American Association of Residential Mortgage Regulators. This contribution shall be paid in certified funds, be made payable to the State Regulatory Registry, LLC, and shall be remitted contemporaneously with the entry of this Consent Order.

5. Within five business days of the date of entry of this Consent Order, responses to the Regulatory Action Disclosure Questions on the MU-1 and MU-2 filings for Sun West Mortgage Company, Inc. and the Officers, respectively, on the NMLS shall be updated to reflect the existence of

this Consent Order and the restrictions set forth therein.

6. The Department shall rescind the Notice of Intent to Revoke Annual License issued to Sun West Mortgage Company, Inc. on August 19, 2014.


7. The Department shall rescind the proposed Orders to Cease and Desist issued to the Officers on August 19, 2014.

8. Pursuant to Georgia law, Sun West Mortgage Company, Inc. shall not be prohibited from continuing to service Georgia residential mortgage loans pursuant to servicing contracts in existence as of the date of this Order for a period of six months.


9. The terms of this Consent Order may be enforced by the Department pursuant to O.C.G.A. §§ 7-1-1017(g) and 7-1-1018(b).


10. This Consent Order shall be regarded as a public document that the Department may publish in the same manner as a final order of this agency.

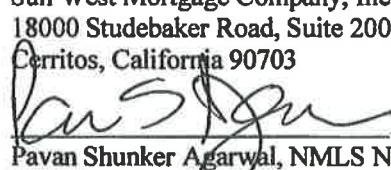
SO ORDERED AND ENTERED, this 18th day of September 2014.


Kevin B. Hagler
Commissioner
Department of Banking and Finance

Consented to by:


Date 9-18-2014
Hari S. Agarwal, NMLS No. 6188
In his individual capacity and as President of
Sun West Mortgage Company, Inc.
18000 Studebaker Road, Suite 200
Cerritos, California 90703


Date 09/18/14
Rod Carnes, Deputy Commissioner
Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341


Date 9/18/2014
Pavan Shunker Agarwal, NMLS No. 6190
In his individual capacity and as CEO of
Sun West Mortgage Company, Inc.
18000 Studebaker Road, Suite 200
Cerritos, California 90703

 Date 9-18-14

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